

REMARKS

The Office Action mailed April 16, 2007, has been received and its contents carefully considered. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the foregoing amendments and the following remarks.

In response to the objection to the Abstract, a new Abstract is included as part of this amendment. The objection to the Abstract has thus been addressed by the provision of a new Abstract. The new Abstract has been formulated to be less than 150 words long.

The objection to claim 1 has been addressed by amending the claim to delete the word "said" where it appears.

The indication in the Office Action that dependent claims 2 and 5-7 are objected to but contain allowable subject matter is noted with appreciation. Applicant has not amended these claims in new independent form at this time, because it is earnestly believed that amended claim 1, from which these claims now depend, is patentable in its own right.

Turning next to the double patenting rejection of claims 1, 3, 4 and 8-18, on the grounds of non-statutory obviousness type double patenting in view of the '148 co-pending patent application, this rejection is respectfully traversed with respect to the amended claims. Independent claim 1 has been amended to recite that the orbiting piston comprises a non-rotating outer part and a rotating inner part, and the outer part has the circular cylindrical external surface. Further, claim 1 has been amended to recite that the individual compliant strips project above the one surface from respective grooves in the one surface, the distribution of the compliant strips being such that there is at least one of the compliant strips in contact with the other surface over the majority of the orbit of the orbiting piston.

It is respectfully submitted that claim 1 of the '148 application does not teach or render obvious these features. Accordingly, withdrawal of the provisional double patenting rejection is respectfully requested.

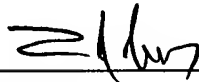
Accordingly, since it is believed that the present amendments obviate the double patenting rejection, no terminal disclaimer is being supplied at this time. However, Applicant reserves the right to submit a terminal disclaimer if necessary to overcome any future rejections in this application.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited. Should the Examiner believe that a telephone conference would be helpful in expediting prosecution of the application; the Examiner is invited to telephone the undersigned at 202-861-1696.

It is believed that no fee is due in connection with this filing. However, if the Commissioner deems a fee is necessary, please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Docket No. 89804.1520.

Respectfully submitted,

BAKER & HOSTETLER LLP



Leo J. Jennings
Registration No. 32,902

Date: July 16, 2007
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Tel: 202-861-1500
Fax: 202-861-1783